

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA**

JOHN HUGH VAN AUKEN, No. Misc. S-04-0363-LKK-CMK

Petitioner,

VS.

## ORDER TO SHOW CAUSE

HEMAR, ROUSSO & HEALD,  
et al.,

## Respondents.

1

Petitioner, who is proceeding pro se, filed a document in this court on November 10, 2004, entitled "Commercial Notice Within the Admiralty of the Filing of Foreign Judgment" (Doc. 1). In this document, petitioner states:

For and on the record:

The Court and the Public takes judicial notice "within the admiralty ab initio" by Commercial Notice of the filing of Foreign Judgment Administrative File Number "JVA08062004CWL" "within the admiralty IN FACT" established under Notary Court Seal. This Administrative Judgment is foreign to judicial and all issues have been settled. All district courts have provisions for filing foreign judgments under miscellaneous for a standard fee of \$39.00 USD.

111

1 In a document entitled "Notarial Protest and Notice of Administrative Judgment Certificate of  
2 Dishonor," attached to his court filing, petitioner references 28 U.S.C. §§ 1333, 1337, 2461, and  
3 2463, and 15 U.S.C. § 1692 as bases for jurisdiction in this court. However, none of these  
4 statutes appear to relate to petitioner's filing. Moreover, to the extent petitioner seeks to initiate  
5 an admiralty proceeding, petitioner has not complied with the Supplemental Rules for Certain  
6 Admiralty and Maritime Claims, or the local rules of this court concerning admiralty cases.  
7 Finally, having reviewed petitioner's filing, the court cannot discern any request for relief.

8 Therefore, petitioner will be required to show cause, in writing, why this action  
9 should not be closed. Specifically, for this action to proceed, petitioner must state the statutory  
10 basis for this court to exercise jurisdiction. See Fed. R. Civ. P. 12(h). Petitioner must also state,  
11 in plain English, the nature of his claims and any relief sought from the court.

12 Accordingly, IT IS HEREBY ORDERED that petitioner shall show cause, in  
13 writing, within 30 days of the date of this order, why this action should not be closed.

14  
15 DATED: November 30, 2006.

16  
17   
18 CRAIG M. KELLISON  
UNITED STATES MAGISTRATE JUDGE  
19  
20  
21  
22  
23  
24  
25  
26